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Costa Rica’s Uphill Battle for a Solution to the Cuban Migrant Crisis

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Just over a month ago, a humanitarian crisis exploded in Costa Rica when hundreds of Cuban migrants en route to the United States suddenly found themselves trapped in limbo in this country’s southern border (NotiCen, Dec. 10, 2015).

Costa Rican authorities have explained that the problem arose on Nov. 10 at the 330-kilometer land boundary with Panama, when Costa Rica dismantled a migrant traffickers’ network and thus broke a link in the regional chain of border crossings.

For years, Cubans seeking better labor and economic opportunities have followed a long trail from the Caribbean island nation to the US, most of which involves a high-risk land voyage that starts after Cubans travel legally, by air, from Cuba to Ecuador. This, instead of using makeshift rafts to cross the 90-mile sea stretch between Cuba and the US, also a dangerous voyage (NotiCen, March 10, 2011).

The clandestine northward land trek leads from Ecuador to bordering Colombia and then, after a boat ride to Panama, follows, again on land, through Costa Rica and the rest of Central America. Once they cross the 962-kilometer border shared by Guatemala and Mexico, the Cubans board planes to the Mexico-US line.

US legislation favorable to Cuban migrants is the magnet attracting the flow. The Cuban Adjustment Act (CAA) – the short version of “An act to adjust the status of Cuban refugees to that of lawful permanent residents of the United States, and for other purposes” – in effect since November 1966, and the “Wet Foot, Dry Foot” policy, added in 1995, allow Cubans entering US territory to remain, and work, in the country.


The “Wet Foot, Dry Foot” policy grants Cubans who arrive in US soil with or without visas – “dry feet” – the same benefits, and allows them to eventually apply for US citizenship. Those intercepted on the 90-mile sea stretch between Cuba and Florida – “wet feet” – are returned to the island.

But the normalization process in Cuba-US relations, announced a year ago by Cuban President Raúl Castro in Havana and US President Barack Obama in Washington (NotiCen, Jan. 29, 2015), triggered an increase in the flow of migrants, according to media reports, because Cubans fear that once the process is completed, the US law will be revoked.
On Nov. 17, Costa Rica’s morning daily La Nación quoted a Cuban migrant as saying, “The rumor spreading among the island’s inhabitants that, as of January, the United States could change the Cuban Adjustment Act … was one of the causes for the massive exodus.”

Last month, with the initial hundreds of migrants turning into thousands in its territory, Costa Rica issued seven-day transit visas to Cubans entering from neighboring Panama who had become stranded at the Paso Canoas border post, about 360 kilometers southwest of the Costa Rican capital of San José.

The migrants thus continued their trip to Costa Rica’s northern border – specifically the Peñas Blancas post, 311 kilometers northwest of San José and more than 600 kilometers northwest of Paso Canoas – intending to enter Nicaragua on their way to their final destination, the US. But to everyone’s surprise, Nicaraguan President Daniel Ortega’s government refused to let the Cubans through.

This led to hundreds, and shortly after, thousands of Cubans – including women and children – crowding at the Peñas Blancas post on the Costa Rican side of the 309-kilometer border with Nicaragua.

**Migrants walk toward Nicaragua**

On Nov. 15, about 800 desperate migrants, highly anxious about their situation, decided to walk into Nicaraguan territory, but the group was stopped – and gassed – by Army troops eight kilometers into Nicaragua and forced back into Costa Rica.

The Nicaraguan side of the boundary was immediately militarized and remained closed for several hours, but as increasing numbers of cars, buses, and trailer trucks lined up on either side, the Ortega administration reopened the border, except for Cubans.

The Nicaraguan government argued that, by issuing transit visas for the migrants to continue their northward journey, Costa Rica had not only decided to allow them into Nicaragua but actually encouraged them to cross the border, thus violating Nicaragua’s sovereignty.

On Nov. 19, Nicaragua’s Gobier no de Reconciliación y Unidad Nacional issued a communiqué stating that “most responsibly, Nicaragua has denounced the arrogance of Costa Rica which, ignoring international law and agreements we are all signatories of, has violated our territory, threatening to block international trade and cargo, and is gathering more Cuban citizens on our southern border as pressure and blackmail on our government.”

Thus began a Costa Rican uphill effort to provide for the rapidly growing numbers of Cubans, ensuring them humanitarian aid, such as emergency lodging, food, and medical assistance. At the same time, Costa Rica began working with the rest of the countries along the northward route, including the extra-regional nations involved – Ecuador, Colombia, Mexico, and of course, Cuba – on what Costa Rican authorities described as a “humanitarian corridor” for the stranded migrants to safely reach US territory.

From the start, Costa Rican Foreign Affairs Minister Manuel González told local and international media, including NotiCen, that the migrant crisis was not caused by Costa Rica, and that it needed a regional solution.
A meeting of Sistema de la Integración Centroamericana (SICA) foreign affairs ministers was held on Nov. 24 in El Salvador’s Óscar Arnulfo Romero International Airport, with their counterparts from Colombia, Cuba, Ecuador, and Mexico taking part in the second half of the day’s talks.

Nicaraguan Assistant Foreign Affairs Minister Denis Moncada – a former ambassador to the Organization of American States and a former officer of the Ejército Popular Sandinista (1979-1990) – told the meeting that Ortega’s administration steadfastly maintained its position, which Moncada described as “unwavering,” of not letting the migrants through.

“The government of Costa Rica created and manipulates this crisis, which aims to deny and ignore the responsibility of the United States in encouraging an unsafe migration,” Moncada told the meeting.

González reacted by saying, among other things, “Today, SICA was stabbed and who did it must take responsibility for this.” He asserted that Costa Rica would continue to seek a humanitarian solution.

Costa Rica’s efforts kept failing

On Dec. 3, González told reporters in San José that Guatemala’s rightist government also turned down a Costa Rican request for the migrants to be airlifted there to complete the Guatemalan and Mexican parts of the journey, and that Mexico’s government was conditioning passage to the Cubans’ arriving from a bordering country – in this case, Guatemala or Belize.

The hope of a Belizean helping hand also vanished when, six days later, Prime Minister Dean Barrow’s government also gave a negative reply to Costa Rica.

The following morning, González expressed disappointment at Belize’s decision, and without going into detail, stressed that “Costa Rica will continue in the direction of finding a solution through the appropriate diplomatic channels.”

That evening, in a recorded message to the Cuban migrants in Costa Rica, President Luis Guillermo Solís underlined his government’s effort to find a solution, and called on potential Cuban migrants to refrain from following the land route to the US until the present situation is solved.

“We will continue to work intensely to reach a solution to your present situation,” Solís said. “Costa Rican diplomacy is entirely devoted to look for a solution to your immediate problem, meaning the need to find ways for you to be able to continue toward your destination.”

Solís, who was a political analyst and a history professor before becoming Costa Rica’s president, added a request.

“I must ask you to, please, help us send [a message] to other Cubans who are preparing their passage through Central America, who haven’t arrived in Costa Rican territory yet, to not do so until we have a solution for you, who arrived first,” he said. “If this doesn’t happen, and migrants keep assembling in Costa Rican territory, we’re going to have a double concern: The one we already have, to look after you well, and the one we’d have with increasing difficulties to look after, on an equal footing, your sisters and brothers who are on their way.”

Solís spoke in an affable and relaxed tone, briefly smiling at times. He added, “So, we need for those people not to arrive soon in Costa Rican territory, to give us a chance to solve first what is our priority right now, which is to manage for you to continue your trip to the United States.”
The president’s message was released three days before his scheduled official two-day visit to Cuba, with agenda topics including cooperation, culture, education, sports, tourism, trade, and certainly, the migrants’ situation.

His administration described it as a historic meeting, as it marks the first official visit by a Costa Rican president since both nations resumed relations on March 18, 2009, after a 48-year hiatus.

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